



General Assembly

January Session, 2013

Amendment

LCO No. 7852

HB0640107852HD0

Offered by:

REP. REED, 102nd Dist.

SEN. DUFF, 25th Dist.

REP. ROJAS, 9th Dist.

SEN. BYE, 5th Dist.

SEN. CASSANO, 4th Dist.

To: Subst. House Bill No. **6401**

File No. 129

Cal. No. 111

***"AN ACT CONCERNING INTERCONNECTED VOICE OVER
INTERNET PROTOCOL SERVICE AND INTERNET PROTOCOL-
ENABLED SERVICE."***

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsections (a) and (b) of section 4d-80 of the general
4 statutes are repealed and the following is substituted in lieu thereof
5 (*Effective July 1, 2013*):

6 (a) There is established a Commission for Educational Technology
7 within the Department of Administrative Services. The commission
8 shall consist of the following members or their designees: (1) The
9 Secretary of the Office of Policy and Management, the Commissioner
10 of Administrative Services, [or the commissioner's designee,] the
11 Commissioner of Education, the Commissioner of Economic and

12 Community Development, the president of The University of
13 Connecticut and the president of the Board of Regents for Higher
14 Education, [or their designees,] the State Librarian, [or the State
15 Librarian's designee, the chairperson of the Public Utilities Regulatory
16 Authority, or the chairperson's designee, the chief executive officers of
17 the constituent units of the state system of higher education, or their
18 designees,] and the Consumer Counsel, (2) one member each
19 representing the Connecticut Conference of Independent Colleges, the
20 Connecticut Association of Boards of Education, [the Connecticut
21 Association of Public School Superintendents, the Connecticut
22 Educators Computer Association,] the Connecticut Conference of
23 Municipalities, the Connecticut Council of Small Towns and the
24 Connecticut Library Association, (3) [a secondary school teacher
25 designated by the Connecticut Education Association and an
26 elementary school teacher designated by the Connecticut Federation of
27 Educational and Professional Employees, and (4)] four members who
28 represent business [and] or have expertise in information technology,
29 [one each] two of whom shall be appointed by the Governor, [the
30 Lieutenant Governor,] one of whom shall be appointed by the speaker
31 of the House of Representatives and one of whom shall be appointed
32 by the president pro tempore of the Senate, [. The Lieutenant Governor
33 shall convene the first meeting of the commission on or before
34 September 1, 2000] (4) one member who is a chief elected official of a
35 municipality who shall be appointed by the minority leader of the
36 Senate, and (5) one member who is a representative of a small business
37 who shall be appointed by the minority leader of the House of
38 Representatives. The commission shall convene a meeting at least once
39 during each calendar quarter.

40 (b) The [commission shall elect] Governor shall appoint a
41 chairperson from among [its] the members of the commission or their
42 designees. Subject to the provisions of chapter 67, and within available
43 appropriations, the commission may appoint an executive director and
44 such other employees as may be necessary for the discharge of the
45 duties of the commission. Notwithstanding any provision of the

46 general statutes, the executive director shall have the option to elect
47 participation in the state employees retirement system, or the alternate
48 retirement program established for eligible employees in higher
49 education or the teachers' retirement system.

50 Sec. 2. Subsection (a) of section 4d-1a of the general statutes is
51 repealed and the following is substituted in lieu thereof (*Effective July*
52 *1, 2013*):

53 (a) (1) Wherever the term "Chief Information Officer of the
54 Department of Information Technology" is used in the following
55 general statutes, the term "Commissioner of Administrative Services"
56 shall be substituted in lieu thereof; (2) wherever the term "Chief
57 Information Officer" is used in the following general statutes, the term
58 "commissioner" shall be substituted in lieu thereof; and (3) wherever
59 the term "Department of Information Technology" is used in the
60 following general statutes, the term "Department of Administrative
61 Services" shall be substituted in lieu thereof: 1-205, 1-211, 1-212, 1-283,
62 3-117, 4d-3, 4d-5, 4d-10, 4d-11, 4d-14, 4d-38, 4d-41, 4d-42, 4d-43, 4d-
63 81a, 4d-82a, 4d-83, [4d-84,] 10-5b, 10-10a, 18-81x, 19a-110, 19a-750, 32-
64 6i, 54-105a, 54-142q, 54-142r and 54-142s.

65 Sec. 3. Section 10-262o of the general statutes is repealed and the
66 following is substituted in lieu thereof (*Effective July 1, 2013*):

67 The Department of Education shall establish, within available
68 appropriations, a competitive grant program to fund innovative
69 teacher training programs on the integration of technology into the
70 public school curriculum in order to improve student learning. [On
71 and after July 1, 2001, such training programs shall be consistent with
72 the standards developed pursuant to section 4d-85.]

73 Sec. 4. Section 10a-143b of the general statutes is repealed and the
74 following is substituted in lieu thereof (*Effective July 1, 2013*):

75 The Board for State Academic Awards shall establish, within
76 available appropriations, innovative on-line teacher and higher

77 education faculty training programs on the integration of technology
78 into the public school curriculum and courses at public institutions of
79 higher education in order to improve student learning. [On and after
80 July 1, 2001, the training program established for public school
81 teachers shall be consistent with the standards developed pursuant to
82 section 4d-85.]

83 Sec. 5. (NEW) (*Effective July 1, 2013*) (a) For the purposes of this
84 section:

85 (1) "Interconnected voice over Internet protocol service" means any
86 service that (A) enables real-time, two-way voice communications that
87 originate or terminate from the user's location using Internet protocol
88 or a successor protocol, (B) uses a broadband connection from the
89 user's location, and (C) permits users generally to receive calls that
90 originate on the public-switched telephone network and to terminate
91 calls to the public-switched telephone network; and

92 (2) "Internet protocol-enabled service" means any service, capability,
93 functionality or application provided using Internet protocol or a
94 successor protocol, other than interconnected voice over Internet
95 protocol service, that enables an end user to send or receive a
96 communication in Internet protocol format or a successor format,
97 regardless of whether the communication is voice, data or video.

98 (b) Except as set forth in subsections (c) to (e), inclusive, of this
99 section, and notwithstanding any other provision of the general
100 statutes or any special act, no department, authority, agency,
101 commission or political subdivision of the state shall enact, adopt or
102 enforce, either directly or indirectly, any law, rule, regulation,
103 ordinance, standard, order or other provision having the force or effect
104 of law that regulates, or has the effect of regulating, the entry, rates,
105 terms or conditions of interconnected voice over Internet protocol
106 service or Internet protocol-enabled service.

107 (c) Subsection (b) of this section shall not be construed to affect the

108 authority of the Attorney General to apply and enforce the Connecticut
109 Unfair Trade Practices Act, sections 42-110a to 42-110q, inclusive, of
110 the general statutes, or other consumer protection laws of general
111 applicability.

112 (d) Subsection (b) of this section shall not be construed to (1) affect,
113 mandate or prohibit the assessment of enhanced 9-1-1 fees,
114 telecommunications relay service fees or lifeline service fees on
115 interconnected voice over Internet protocol service or any other voice
116 over Internet protocol service, or (2) affect the authority of the Public
117 Utilities Regulatory Authority pursuant to subsection (a) of section 16-
118 247e or section 16-32e of the general statutes.

119 (e) Subsection (b) of this section shall not be construed to (1) modify
120 or affect (A) the rights, duties, obligations or authority of any entity
121 pursuant to the provisions of 47 USC 251, 47 USC 252, any applicable
122 tariff, or any state law, rule, regulation or order related to wholesale
123 rights, duties and obligations, including the rights, duties and
124 obligations of local exchange carriers to interconnect and exchange
125 voice traffic, or (B) the enforcement and other power of the Public
126 Utilities Regulatory Authority with respect to subparagraph (A) of this
127 subdivision, (2) modify or affect the power of the Public Utilities
128 Regulatory Authority to implement, carry out and enforce such
129 provisions, tariff, rights, duties or obligations through arbitration
130 proceedings or other available mechanisms and procedures, (3) affect
131 the payment of switched network access rates or other intercarrier
132 compensation rates, as applicable, (4) modify or affect any duty or
133 obligation with respect to the provision of video or cable service by
134 any entity pursuant to chapter 289 of the general statutes or any other
135 applicable law or regulation, or (5) affect the establishment or
136 enforcement of standards, requirements or procedures, including
137 procurement policies, applicable to any department, authority, agency,
138 commission or political subdivision of the state, or to the employees,
139 agents or contractors of a department, authority, agency, commission
140 or political subdivision of the state, solely relating to the protection of

141 intellectual property, provided nothing in this subdivision shall have
142 the effect of regulating interconnected voice over Internet protocol
143 service or Internet protocol-enabled service pursuant to subsection (b)
144 of this section.

145 Sec. 6. (NEW) (*Effective January 1, 2014*) (a) The Public Utilities
146 Regulatory Authority shall conduct a performance review proceeding
147 for each person, entity or company holding a certificate of public
148 convenience and necessity to provide community antenna television
149 service, a certificate of cable franchise authority or a certificate of video
150 franchise authority, as such terms are defined in section 16-1 of the
151 general statutes, to ensure compliance with the terms and conditions of
152 any such certificate. The authority may consolidate such proceedings.
153 During each such proceeding, the authority may review issues relating
154 to compliance with applicable laws and regulations regarding
155 customer service, customer notification, community access support,
156 management of outages and cooperation with the authority.

157 (b) The authority may conduct subsequent review proceedings of
158 any such person, entity or company at intervals of not less than five
159 years. Any such subsequent review proceeding shall be limited to a
160 review of those conditions or requirements specifically set forth in the
161 general statutes.

162 (c) Any proceeding conducted pursuant to subsection (a) or (b) of
163 this section shall be an uncontested case and shall include an
164 opportunity for a public hearing. The Attorney General and the Office
165 of Consumer Counsel shall be parties to any such proceeding.

166 Sec. 7. (NEW) (*Effective January 1, 2014*) Each person, entity or
167 company providing video or cable service pursuant to chapter 289 of
168 the general statutes shall include on each customer's bill the mailing
169 address and telephone number of the Public Utilities Regulatory
170 Authority for questions or complaints.

171 Sec. 8. (NEW) (*Effective January 1, 2014*) Each person, entity or

172 company providing video or cable service pursuant to chapter 289 of
 173 the general statutes shall inform customers of the terms and either the
 174 length or termination date of any promotion for services accepted by a
 175 customer at least once within each twelve-month period from the
 176 inception of the promotion. This requirement does not apply to any
 177 promotion that is equal to or less than three months in length.

178 Sec. 9. Sections 4d-84 and 4d-85 of the general statutes are repealed.
 179 (*Effective July 1, 2013*)"

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2013</i> | 4d-80(a) and (b) |
| Sec. 2 | <i>July 1, 2013</i> | 4d-1a(a) |
| Sec. 3 | <i>July 1, 2013</i> | 10-262o |
| Sec. 4 | <i>July 1, 2013</i> | 10a-143b |
| Sec. 5 | <i>July 1, 2013</i> | New section |
| Sec. 6 | <i>January 1, 2014</i> | New section |
| Sec. 7 | <i>January 1, 2014</i> | New section |
| Sec. 8 | <i>January 1, 2014</i> | New section |
| Sec. 9 | <i>July 1, 2013</i> | Repealer section |